

Wamp
Weldon (FL)
Weller
Westmoreland

Whitfield
Wicker
Wilson (NM)
Wilson (SC)

Wolf
Wynn
Young (AK)
Young (FL)

NAYS—187

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boehrlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Frank (MA)
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey

Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz

351, the text of H.R. 740, H.R. 741, and H.R. 742 as passed by the House, will be appended to the engrossment of H.R. 739 and H.R. 740, H.R. 741 and H.R. 742 shall be laid on the table.

PERSONAL EXPLANATION

Mr. POMBO. Mr. Speaker, on July 12, 2005, I missed four recorded votes. Had I been present, I would have voted "yea" on H.R. 739, the Occupational Safety and Health Small Business Day in Court Act of 2005 (rollcall No. 369); "yea" on H.R. 740, the Occupational Safety and Health Review Commission Efficiency Act of 2005 (rollcall No. 370); "yea" on H.R. 741, the Occupational Safety and Health Independent Review of OSHA Citations Act of 2005 (rollcall No. 371); and "yea" on H.R. 742, the Occupational Safety and Health Small Employer Access to Justice Act of 2005 (rollcall No. 372).

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I rise today to enter into the RECORD that on July 12 of this year, due to unavoidable circumstances, I was unable to be present. If I had not been detained today, July 12, 2005, I would have voted as follows:

On Previous Question on OSHA rollbacks, I would have voted "nay" to defeat the previous question on the Rule. If defeated we would have allowed the House to consider the Miller-Owens bill to raise the minimum wage. The minimum wage would be raised to \$7.25 an hour from \$5.15 an hour. The minimum wage has been frozen since 1997.

On H. Res. 351—rule providing consideration for 4 OSHA rollback bills—I would have voted "nay."

On H. Res. 352—providing that the House of Representatives will focus on removing barriers to competitiveness of the United States economy—I would have voted "nay." I would not have supported the legislation because it would not improve U.S. competitiveness. Instead this resolution attempts to blame trial lawyers and "regulation" for the challenges facing the U.S. economy.

On H. Res. 343—commending the State of Kuwait for granting women certain important political rights—I would have voted "yea."

On H.R. 804—to exclude from consideration as income certain payments under the national flood insurance program—I would have voted "yea."

On H.R. 68—NASA and JPL 50th Anniversary Commemorative Coin Act—I would have voted "yea."

On H.R. 739—OSHA rollback on employer citations—I would have voted "nay." I would not have supported the legislation because it undermines the timely abatement of unsafe working conditions, encouraging employers to challenge OSHA citations. One of the principal purposes of the Occupational Safety and Health Act is "to assure so far as possible every working man and woman in the nation safe and healthful working conditions." However, this bill effectively delays the timely abatement of unsafe working conditions, by encouraging employers to litigate citations rather than correcting health and safety hazards.

On H.R. 740—OSHA rollback to stack the Occupational Safety and Health Review Com-

mission—I would have voted "nay." I would not have supported the legislation because it unjustifiably ensures that only lawyers are appointed to the Commission.

On H.R. 741—OSHA rollback of the Secretary of Labor's authority to issue citations—I would have voted "nay." I would not have supported the legislation because it provides that the OSHA Review Commission shall have deference to override the Secretary of Labor's reasonable interpretations of the Secretary's own workplace safety standards—thereby increasing the incentives for challenges to Labor Department's rules and regulations.

On H.R. 742—OSHA rollback to require OSHA to pay attorneys' fees—I would have voted "nay." I would not have supported the legislation because it requires OSHA to pay attorneys' fees and costs for employers with 100 or less employees and a net worth of \$7 million or less in an administrative or judicial proceeding in which OSHA does not prevail. It is a blatant attempt to chill OSHA's exercise of statutory responsibility to enforce the Occupational Safety and Health (OCS) Act, by penalizing the agency for every instance in which it attempts to do so unsuccessfully, and therefore, undermined the enforcement of workplace health and safety laws.

PERSONAL EXPLANATION

Mr. KUCINICH. Mr. Speaker, I was testifying before the BRAC Commission on June 27 for the purpose of protecting 1,075 jobs in Cleveland, Ohio, from removal by the BRAC process. Had I been here, I would have cast the following votes: roll call 322, aye; roll call 323, aye.

□ 1845

ECONOMIC AND JOB GROWTH

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute.)

Mrs. BLACKBURN. Mr. Speaker, you know last night I came down and had a little bit to say about the jobs, 146,000 new jobs that this economy, this private sector has grown in June, and near historic lows in unemployment at 5 percent.

And with the economic growth, the tax reductions, our deficit will be \$100 billion lower than original projections. And we are going to continue to build on all of this.

Today, Mr. Speaker, I want to call attention to another article, this one on spending regulation keeps growing. And I think that is one of the things that we continue to look at and one of the reasons that we are addressing some of the bills and legislation that we are this week.

It is also the reason that we continue to address waste, fraud and abuse in this Congress, finding ways to reduce the cost of government so that this economy will continue to move forward and continue to grow.

NOT VOTING—11

Abercrombie
Brown, Corrine
Cardin
Conyers

Jones (OH)
Menendez
Miller (FL)
Myrick

Obey
Pombo
Shadegg

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1843

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MENENDEZ. Mr. Speaker, I was unavoidably detained on this last roll call vote. Had I been here to vote, I would have voted "no."

The SPEAKER pro tempore. Pursuant to section 5 of House Resolution